

MAR 22 2005

S/N 10/639,949

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | SETHI ET AL. | Examiner: | D. JONES |
| Serial No.: | 10/639,949 | Group Art Unit: | 1614 |
| Filed: | AUGUST 12, 2003 | Docket No.: | 12695.6USDS5 |
| Title: | <u>TREATMENT OF CARDIOVASCULAR AND RELATED PATHOLOGIES</u> | | |

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on March 22, 2005.

By: Carmen Jones
Name: CARMEN JONES

TERMINAL DISCLAIMER TO OBLIGATE
A DOUBLE PATENTING REJECTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552
PATENT TRADEMARK OFFICE

Dear Sir:

Petitioner, Medicure International Inc., a corporation organized and existing under the laws of Barbados, West Indies and having its primary place of business at "Albion" Skeete's Hill, Rockley Christ Church, Barbados, West Indies, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/639,949, filed on August 12, 2003 and entitled TREATMENT OF CARDIOVASCULAR AND RELATED PATHOLOGIES, by virtue of our assignment recorded at Reel 011361, Frame(s) 0835.

Petitioner, Medicure International Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patents that issue from Serial No. 09/863,093 and U.S. Patent No. 6,339,085 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Serial No. 09/863,093 and U.S. Patent No. 6,339,085, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Application No.: 10/639,949
Filed: August 12, 2003

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Serial No. 09/863,093 and U.S. Patent No. 6,339,085, in the event that U.S. Serial No. 09/863,093 and U.S. Patent No. 6,339,085 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(202) 625-8380

Date: March 22, 2005


Ronald A. Daignault
Reg. No. 25,968
RAD:BRD:PLSkaw